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Security Council

Fifty-first Year

Provisional

3656th Meeting

Tuesday, 23 April 1996, 12.40 p.m.

New York

President:	Mr. Somavía	(Chile)
Members:	Botswana	Mr. Nkgowe
	China	Mr. Qin Huasun
	Egypt	Mr. Awaad
	France	Mr. Thiebaud
	Germany	Mr. Kaul
	Guinea-Bissau	Mr. Da Gama
	Honduras	Mr. Rendón Barnica
	Indonesia	Mr. Wibisono
	Italy	Mr. Cardi
	Poland	Mr. Skiba
	Republic of Korea	Mr. Park
	Russian Federation	Mr. Chtcherbak
	United Kingdom of Great Britain and Northern Ireland	Mr. Plumbly
	United States of America	Mr. Inderfurth

Agenda

The situation concerning Rwanda

Letter dated 13 March 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/195)

96-85532 (E)

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The meeting was called to order at 12.40 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Rwanda

Letter dated 13 March 1996 from the Secretary-General addressed to the President of the Security Council (S/1996/195)

The President (*interpretation from Spanish*): I should like to inform the Council that I have received letters from the representatives of Burundi, Rwanda and Zaire, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Bakuramutsa (Rwanda) took a seat at the Council table; Mr. Nsanze (Burundi) and Mr. Lukabu Khabouji N'zaji (Zaire) took the seats reserved for them at the side of the Council Chamber.

The President (*interpretation from Spanish*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them a letter dated 13 March 1996 from the Secretary-General addressed to the President of the Security Council, transmitting the final report of the International Commission of Inquiry established under resolution 1013 (1995), document S/1996/195. Members of the Council also have before them document S/1996/298, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

I should like to draw the attention of the members of the Council to the following other documents: S/1996/202, letter dated 14 March 1996 from the Secretary-General addressed to the President of the Security Council; S/1996/222, letter dated 27 March 1996 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council; and S/1996/241, letter dated 3 April 1996 from the Chargé d'affaires *ad interim* of the Permanent Mission of Zaire to the United Nations addressed to the President of the Security Council.

The first speaker is the representative of Rwanda, on whom I now call.

Mr. Bakuramutsa (Rwanda) (*interpretation from French*): Allow the Rwandan delegation to congratulate you, Sir, on your assumption of the presidency of the Security Council. The wisdom you inspire and your experience as a seasoned diplomat give confidence to the countries whose problems are on the Council's agenda that those problems will be speedily resolved. My delegation is entirely at your disposal to help you carry out your task.

I wish to take this opportunity to thank Ambassador Legwaila, Permanent Representative of Botswana, and his delegation for their outstanding work, particularly with respect to convening public meetings that allow all Members of the Organization to participate.

My delegation wishes to congratulate the International Commission of Inquiry to investigate reports relating to the sale or supply of arms and related *matériel* to former Rwanda government forces in the Great Lakes region. It is very important to note that the contents of the Commission's first report contrast remarkably with those of the second. The latter brings to light elements of incontestable information and pieces of evidence and confirms what non-governmental organizations and the BBC, of international renown, had already uncovered.

Indeed, if the Commission was able in so brief a time to produce such remarkable work, despite the obstacles it encountered, it could do even more and its impact would be particularly significant on matters related to security and stability in the region. That is why my delegation will be pleased to see the adoption of the draft resolution before the Council today. In this context, I wish to thank the American delegation for its initiative and all delegations that helped in drafting and amending it.

My delegation will never tire of repeating that control over the implementation of a resolution, especially one formulated under Chapter VII, can be exercised only with the authority granted under another, stronger resolution. That is why, if it was to be effective,

this draft resolution should have been restrictive. Unfortunately, it is too weak to allow the Commission effectively to tackle the task assigned to it.

We are convinced that the Council is aware of the many foreseeable consequences if the Commission is unable to achieve the objectives of its mandate. These consequences are, first, that the Commission will encounter difficulties in fulfilling its mission. The Security Council has not sufficiently equipped it to overcome these difficulties.

The second consequence is the destabilization of the region, which will continue because of the infiltration of arms and militia members into both Rwanda and Burundi. It should be noted that these infiltrations are already taking place, and a rapid solution must be found to the damage they are causing.

The third consequence is the loss of human life, displaced persons and refugees. The fourth consequence is economic regression and the risk of famine in the region. The fifth consequence is the possibility of the subregion going up in flames. As we have said on other occasions, the continuation of the Commission's work is vital for ensuring peace and security in the Great Lakes region.

The uncontrolled circulation of arms spares no country in the subregion. The arms acquired under these circumstances are being used by Rwandan militia members who support the Burundi extremists to destabilize the Government of Burundi. Furthermore, Rwanda has just received approximately 8,000 refugees from Zaire, who were expelled from their native land by other citizens of their country in cooperation with militia members and Rwandan soldiers whose legal acquisition of arms we denounce, as we do the refugee status from which they continue to benefit, despite the international Convention on refugees signed at Geneva. We are astonished that this Organization has not denounced that situation, which is on a level with the illegal acquisition and circulation of weapons in the region.

I say again that the success of this resolution and its implementation is not only of concern to Rwanda but is vital for the population of the entire subregion. May I request, through you, Mr. President, that the Security Council and the Secretariat, which is the main source of information for the Council, to cease taking a sectoral approach to the question of Rwanda, as the problems of the subregion are interlinked and interdependent.

I would like to give some examples of that approach, which has become a matter of routine for this Organization, and which my country is now, and will long continue to be victim to, unless the wisdom and understanding of members of the Security Council help this Organization to change it.

The efforts made by the Rwandan Government to take control of its own future are encountering difficulties as a result of that sectoral approach. We are now considering the problem of the rearming of former Rwandan troops. That problem is linked to the arms embargo against the people who committed genocide. But the sectoral approach obliges us to consider the matter as if it were a simple offence committed by some businessman carrying out some sort of illicit operation. In fact, those people conceived, planned and carried out the genocide. It should be noted that the word "genocide" appears nowhere, which contributes further to playing down the offence, which is limited to rearmament despite the embargo. The sectoral approach means that we are completely overlooking the fact that those who are acquiring weapons are the same people who masterminded the genocide, supported in various ways by various collaborative State networks. The International Tribunal, which should have inquired into those cases, is not mentioned anywhere, which has further weakened the role and importance of that Tribunal.

Again, the sectoral approach makes it impossible to establish the links between the fact that criminals are acquiring arms and the fact that the International Tribunal is not actually functioning. This vision prevents us from implementing the conventions that we ratified on both genocide and refugees. Thus, those responsible for the genocide in Rwanda and their militias enjoy refugee status, when they are actually armed and leading an armed band.

The Government of Rwanda would like to encourage national reconciliation. But what meaning can reconciliation have if it takes place between those who survived the genocide and its perpetrators, when the latter are in the process of rearming themselves to carry out other massacres? What do the orphans — the victims and survivors of genocide — and all peace-loving Rwandans feel when they see that the efforts of the Government that put a stop to the genocide are being undermined by the acts of the very people whose moral duty it is to prevent acts that disrupt peace and security, and who are supposed to be implementing a Security Council resolution on an arms embargo?

The sectoral approach is also applied to the return of refugees. How can the Government of Rwanda encourage the return of refugees when their self-proclaimed leaders are in the process of rearming themselves and are receiving various kinds of support from Member countries of this Organization.

Again, the sectoral approach taken to the situation in Rwanda makes it impossible to see that the acquisition of appropriate equipment could contribute to the return of refugees and stability in the country. By arming themselves, the criminals continue to send a war-like and criminal message to the refugees, whereas the Government of Rwanda has established a policy for the unconditional return of refugees and, by way of support from the Secretariat, has received unusable and inappropriate equipment that the so-called Assistance Mission for Rwanda could not take away with it. At the same time, the masterminds of the genocide and their militia organizations are building up their arsenal and receiving humanitarian assistance, which enhances their power and authority over the refugees in the camps.

The sectoral approach to the Rwandan problem makes it impossible to see that arming militia members and former Rwandan troops is contributing to the massacre taking place in Burundi. The fact that the Rwandan criminals have gone unpunished encourages the criminals in the region to do likewise. This is why we request the Council and the Secretariat to revise their approach, to consider the question holistically. If it did so, it would become clear that the Commission has more importance than the draft resolution attributes to it.

I should like to depart slightly from the subject on the agenda to pass on a message from the Government of Rwanda, given the importance of the matter. The Government of Rwanda has instructed me to deny firmly the information contained in the Secretary-General's report suggesting that negotiations with the Government with respect to establishing a small political office in Rwanda have become difficult. I wish to recall that paragraph 46 of the report of the Secretary-General on the United Nations Assistance Mission for Rwanda of 29 February 1996, states that the Rwandan Government did not give its consent to any of the three options presented by the Secretary-General. In my official statement at the formal meeting of the Security Council at which resolution 1050 (1996) was adopted, I confirmed our acceptance of the proposal for a political office contained in the report of the Secretary-General. In my letter of 1 March 1996, addressed to the President of the Security Council, and in the letter from the Minister of Foreign Affairs and Cooperation of Rwanda, addressed to the Secretary-General, the clear-cut position of the Government was that it accepted the proposal for a political office, as set out by the Secretary-General in his report. My Government took the initiative of inviting the Special Representative of the Secretary-General to Kigali to hold consultations on specific proposals regarding the status, mandate and duration of the United Nations political office. He never discussed the subject with the Government again.

The delay in the Secretariat's reaction made it necessary for me to approach the Under-Secretary-General for Political Affairs, since the office fell under his aegis, to remind him of the recommendations contained in the Security Council resolution on the subject and to insist on a meeting between the Secretariat and the Government to discuss the question of the political office.

Despite all those steps, my Government was not contacted by anyone to consider the statute and the mandate of this unit. It should be noted that preparations for the departure of the United Nations Assistance Mission for Rwanda (UNAMIR), and particularly the decision of the Special Representative of the Secretary-General to leave his post, did not favour the Secretariat's negotiating on that office.

This is why the Rwandan Government was very pleased to welcome the Under-Secretary-General for Political Affairs to Kigali, and the question of the political office was in fact resolved this morning. In this connection, we should once again like to remind the Council that it is customary for the Government of Rwanda to be consulted in every matter of interest to the country and to the Rwandans.

Furthermore, the Government of Rwanda would like to clarify information contained in the report of the Secretary-General regarding the UNAMIR equipment that was left behind in Rwanda. The Secretary-General's report refers to equipment which is valued at approximately $9.2 million and intended to be handed over to the Rwandan Government, as well as another parcel of weapons in a state of disrepair, which was valued at $6.1 million and was also to be given to the Government.

I would like to remind the Council that that equipment is being given to the Government of Rwanda pursuant to the request to the Secretary-General for non-

military *matériel* to speed up the reconstruction of the country as well as to facilitate the return of refugees. That request by Rwanda enjoyed the support of the Security Council in various resolutions that recommended that the Secretary-General give part of UNAMIR's *matériel* to the Rwandan Government while respecting the rules and procedures of the General Assembly.

After having evaluated the equipment left behind by UNAMIR, the Government of Rwanda found that, in the first place, the value of the equipment was much lower than the figures quoted in the Secretary-General's report. Secondly, the equipment consisted of *matériel* not suited to the needs expressed to the Secretary-General by the Rwandan Government — namely, the kind of equipment required to speed up the reconstruction and rehabilitation of the country, and to facilitate the return of refugees. What little equipment which remained was in such a state that it was not economically viable to repair it, as this might have become a burden on the State's budget. Consequently, my Government wishes to inform the Council that the equipment left to it by UNAMIR cannot be received due to its nature and its condition.

It is true that Rwanda is in need, but it is also true that the Rwandans have their dignity, and they intend to keep it. Despite the insistence of the Rwandan Government when speaking to the Special Representative of the Secretary-General, despite various steps, *vis-à-vis* various departments of the Secretariat, and despite contacts with various members of the Security Council who have in turn approached the Secretariat, my Government can only conclude that there has been a deliberate desire not to give the proper equipment to Rwanda to help it to reconstruct the country and, generally speaking, a desire to keep the Government in the difficult situation caused by the genocide and destruction of the infrastructure and economy of the country.

In conclusion, Rwanda and the entire world have witnessed the behaviour of this Organization before and during the genocide in my country, which is a Member country and a former Trust Territory of the United Nations. Many accounts have been given of the situation, but it gravely concerns my Government when we observe a continual and systematic lack of desire to give adequate and necessary support to the Rwandan Government to help it reconstruct the country, to complete its efforts to bring all the sons and daughters of the country together, to stanch its wounds, to rehabilitate the survivors and to establish justice, which would form the basis of a state of law.

Over and above that, my delegation regrets the continual confusion caused by the incomplete information provided by the Secretariat to the decision-making bodies that might have a certain impact on the future of Rwanda.

The content of the most recent report coordinated by the Danish Government, which is entitled "Joint evaluation of emergency assistance to Rwanda", and whose authors we would like to thank, may go unnoticed. What it calls "Lessons from the Rwanda experience" will never serve as a lesson for anybody.

My Government keenly hopes that the office to be created in Rwanda by the Secretariat and the Security Council will help the United Nations do what it has so far been unable to do for Rwanda and its inhabitants.

I should like to conclude, by thanking, on behalf of my Government, those countries that respected the Security Council resolutions by initiating legal proceedings against those responsible for genocide in Rwanda — countries such as Belgium, Cameroon, Canada, Switzerland and Zambia — as well as those countries, such as Seychelles that provided the information making it possible to trace the sale and delivery of arms to members of the former Government of Rwanda.

The President (*interpretation from Spanish*): I thank the representative of Rwanda for the kind words he addressed to me.

The next speaker is the representative of Burundi. I invite him to take a seat at the Council table and to make his statement.

Mr. Nsanze (Burundi) (*interpretation from Spanish*): It is said that what you see is what you get. You, Mr. President, deserve congratulations on your masterly conduct of the work of this international body, which is entrusted with international peace and security. Further, I must say that you are carrying out extremely important work for our world. Lastly, I must also say that you have my best wishes for a mandate crowned with success.

(*spoke in English*)

To your predecessor, Ambassador Joseph Legwaila, and his delegation, I take this opportunity to extend the heartfelt gratitude of my Government and my delegation for their work and for the outstanding role they have played during this trying crisis in my country.

But, in addition to this, it is my duty to say that that delegation, and last month's presidency, deserve Africa's congratulations and its gratitude for the efforts to bring the plight of the sister nation of Somalia back into the mainstream of direct responsibility of the United Nations in general and of the Security Council in particular.

(*spoke in French*)

I follow my colleague and brother from Rwanda in addressing the Council. But first, on behalf of my country and my delegation, it is my brotherly obligation to convey our sympathy to the brotherly country of Egypt for the attacks that have taken place there in the past week, and even yesterday, including attacks against high-ranking military officials. My country and my community are linked with Cairo and Alexandria, as are our destinies.

As we await the meeting of the General Assembly on the subject of Lebanon, I must say that we are deeply saddened by events in that country. Wherever peace is disturbed, we cannot remain indifferent.

In April 1994, Rwanda as a whole was drowning in blood, the victim of a political and social system bent on genocide. In the wake of the tragedy that afflicted that country, its courageous saviours — those currently in power — worked intensively to alleviate the suffering of the Rwandan people. At present, they have undertaken an all-out effort to help the nation rise from the ashes, to work for its economic reconstruction, to safeguard its internal and external security, and to ensure its territorial integrity and its full sovereignty.

This new overall momentum could be seriously compromised by the evil plots being hatched by the former troops of the overthrown regime. The flow of arms to the former Rwandan forces is proof positive of the aggression being planned against a people that is still deeply traumatized.

The violation of the arms embargo has had serious consequences. The revelations disclosed in the interim report of the Commission of Inquiry dated 17 January 1996 and in the letter addressed by the Secretary-General to the President of the Security Council, and the information provided to my own Government by many sources — all in agreement — confirm that there are some, living in the past and embracing fundamentalist atavism and genocide, who are feverishly preparing to attack Rwanda.

Among the most prominent indicators of the certain danger posed by the former forces of the Rwandan army and the INTERAHAMWE militias is their unholy alliance with bloodthirsty factions in Burundi. A large number of former Rwandan soldiers have infiltrated Burundi, entering into evil pacts with armed bands against our people. Powerless to re-enact genocide in Rwanda or to carry it out in Burundi, the two terrorist groups of Rwanda and Burundi are preying not only fanatically but vampirically on the most vulnerable sectors of society: the elderly, women and children. Their vandalism has reached such heights of brutality that they savagely cut down human beings and cattle and burn and destroy fields. The need to stem the flow of these gangsters towards Burundi has forced the country, against its will, to close its common borders with its esteemed sisterly neighbour, the Republic of Zaire.

Certain Governments and foreign circles, pushing cynicism to the limit, are demanding that our Governments and our political class negotiate with those responsible for such atrocities. Some Governments and governmental bodies are actually making their assistance contingent on this, even threatening to suspend or end their cooperation with our countries. This represents a major contradiction. European Nazis are still being hunted and subjected to the most Draconian punishments more than a half-century after they committed their heinous acts. I would cite the case of Barbie, in France, and that of another Frenchman in 1994. Currently in the United Kingdom an old man, 85 years old, is in prison and being interrogated about the murder of three Jews. It is therefore strange that from the West, which supposedly experienced firsthand and to the depths of its soul Hitler's infamous crimes, voices are heard advocating dialogue with the neo-Nazis in Rwanda and Burundi, who are bent on carrying out genocide once again.

While Western peoples take pride in their multisecular humanism, imbued with Christian morals and religion, some of their leaders seem to enjoy starving the people of Burundi and Rwanda, who have committed no crimes and deserve no such punishment. France deserves the special thanks of Burundi for the realistic position it took, in contrast to the European Union's inclination to deprive both Rwanda and Burundi of foreign aid at the time when they need it most.

While international forums are expressing their abhorrence of genocide, Governments and intergovernmental organizations, on the other hand, remain disturbingly silent over the vandals who are

devastating the population of Burundi. To date, only the American Government has published an official and vigorous condemnation of the abominations committed in recent weeks by the champions of genocide. Our Government and our people pay heartfelt tribute to the United States for this statement, which was characterized by a deep sense of responsibility.

While many States and international organizations are in the habit of speedily condemning the brutality inflicted by those who massacre peace-loving peoples, in this case we hear only silence, perhaps even tinged with complicity, regarding the vampires who are bent on exterminating the population.

The violation of the embargo on arms destined for the attackers will soon culminate in an explosive and therefore disastrous build-up. However, the charters of the United Nations and of the Organization of African Unity, international conventions on refugees and Security Council resolutions 918 (1994), 997 (1995) and 1011 (1995) enjoin all countries of asylum and all States and companies providing weapons to abide strictly by the letter and the spirit of the embargo. In addition to the principles and norms of international law codified in multilateral treaties, the commitments solemnly entered into before the world at large by all the Heads of State of the Great Lakes region at the Cairo and Tunis summits were intended to achieve a main threefold objective: to disarm the refugees, to prevent their military training in their host countries and, lastly, to create mechanisms and take measures likely to prohibit them from harming their countries of origin or even third countries.

In this connection, we welcome the policy adopted recently by His Excellency Benjamin Mkapa, the new President of the United Republic of Tanzania, because it stands in solidarity with Burundi and Rwanda and represents a model of harmonious neighbourly relations, which bodes well for the future.

Given political, historical, geographic and economic imperatives, the States members of the Economic Community of the Great Lakes Countries — Burundi, Rwanda and Zaire — are obliged to show natural, active and constant solidarity. The primary *raison d'être* of this subregional organization is to prohibit acts of subversion in any of the Member countries against any of the others. Their tripartite security is a *sine qua non* condition for the very survival of the Economic Community. It would be superfluous to dwell at length on this overpowering reality. The destinies of these three countries and of their peoples are so closely interrelated that a cataclysm in one inevitably has repercussions in the others. Likewise, the participation or the direct or indirect involvement of one of them through actions or omissions sooner or later has a boomerang effect.

My delegation comes before this learned Council to argue for the agreed obligations, legal principles and political realism that the State of Burundi, under successive Governments, has scrupulously observed in its actions.

A few salient facts will suffice to support this statement. When mercenaries entered Zaire under the command of the bitterly remembered Schramme, Burundi allied itself with the Government of Zaire and made available to it the international airport of Bujumbura. Burundi also protected its borders in order to prevent the passage of the invaders and to deliver them to the army of the brotherly country attacked.

A number of groups opposing the central Government of Zaire — such as the troops of Gisenga, Mulele and Soumaliot — have long operated in Zaire's eastern region. Many members of these groups have attempted to seek refuge in Burundi or to launch incursions into Zaire from our territory; they have always been systematically and completely stopped in both types of endeavours. This constant policy of solidarity and good-neighbourliness is sacred and immutable to Burundi.

Whenever the security or the sovereignty of Zaire may be threatened in the future along our common borders or from Burundi's soil by would-be perpetrators — especially by those intent on genocide — Burundi will automatically stand in solidarity with the legal Government of Zaire to disarm and neutralize them.

In conclusion, I would like to say, first, that the fact that the Great Lakes region is on the way to being flooded with weapons is unacceptable. It is imperative for the Security Council to decree binding and concrete measures — particularly economic sanctions — against countries and companies violating the embargo.

The security of Rwanda cannot be separated from that of Burundi, in particular, or from that of the other States in the Great Lakes region, in general. The proliferation of weapons, war *matériel* and of armed terrorist groups could be exacerbated and lead to a twofold phenomenon of immeasurable consequences: the overarming of the region and the inevitable corollary of

widespread insecurity and instability. It is imperative for the Security Council to arrest the persistent causes of this danger, which were foreseeable from more than one vantage point.

Finally, given the fact that security is at the forefront of the principal agreements into which the member States of the Economic Community of the Great Lakes Countries have entered, it is highly desirable that the current Chairman of that organization — made up of Burundi, Rwanda and Zaire — convene a special summit dedicated to urgently finding solutions in order to safeguard and consolidate the tripartite peace. Even better, many meetings should be held between the three Heads of State and the members of their Governments — notably the Prime Ministers, Ministers of Defence, Ministers for Foreign Affairs and Ministers of the Interior — and should have a generally reassuring impact, making them inevitably successful in the long run.

Initiatives such as these would also contribute to settling other situations, smoothing things over, clearing up misunderstandings and allaying the suspicions, well founded or not, between leaders — in short, they would break the ice and rid the region of the dangers it faces.

The President (*interpretation from Spanish*): I thank the representative of Burundi for his kind words addressed to me.

The next speaker is the representative of Zaire. I invite him to take a seat at the Council table and to make his statement.

Mr. Lukabu Khabouji N'Zaji (Zaire) (*interpretation from French*): The delegation of Zaire is very pleased to see you, Sir, presiding over the work of the Security Council for the month of April. We are confident that your exceptional qualities as a seasoned diplomat, your acute sense of consensus-building and your knowledge of the affairs of the United Nations will serve to make you an excellent President.

We would also like to address our congratulations to a brother, the Ambassador and Permanent Representative of Botswana, who presided with such tact, firmness and humour over the work of the Council during the month of March.

I would like, finally, to thank the Secretary-General for having made possible the publication of the final report of the International Commission of Inquiry.

In my delegation's view, the interim report and the final report drafted by the Commission of Inquiry cannot be considered separately from each other. This is why my delegation takes the liberty of recalling before the Council certain facts from the interim report it considers essential.

The Commission notes in its report that during its stay in Rwanda it went to Iwawa Island, in Rwandan territory. There the Commission inspected arms, explosives and other *matériel*, most of which was found to be obsolete and unusable, while the new *matériel*, still wrapped in plastic, consisted mostly of disassembled machine-guns. Thus, the Commission has provided us with important information, but that information is incomplete, because it gives the Council no way of knowing where those weapons came from.

The Commission adds in its report that the most senior officer present of the Rwandan Patriotic Army (RPA) informed the Commission that some of the working arms had been taken and distributed to RPA members, but that none of the weapons were new.

Still on Iwawa Island, the President and some of the Commission members then interrogated some young people and a junior officer of the former Rwandan government forces who, as they were told by the RPA officer present, had been captured on the island. The members of the Commission had to request that officer to serve as an interpreter during their conversations, but had no reason to doubt the accuracy of his interpretation. It emerged from the replies given by the young people interrogated by the Commission that they were Rwandans and that they had lived in the Mugunga camp, close to Goma, in Zaire. They had been trained in the handling of weapons on the island under the supervision of a commander of the former Rwandan government forces and of a civilian. No foreigner was apparently involved in this operation. I am citing paragraphs 18, 19 and 20 of the interim report of the Commission of Inquiry.

Zaire wonders how it can be implicated in an affair that is occurring entirely on the territory of another sovereign State, where the actors are nationals of that country, albeit former refugees of a Zairian camp. And to crown that, this is the only training case that the Commission inquired into during the investigation.

The Commission indicates in paragraph 24 of its report that it had intended to visit Zaire on 22 November 1995 and that it had drawn up its itinerary with the

assistance of the liaison officer of the United Nations Assistance Mission for Rwanda (UNAMIR) in Kinshasa. The Commission was given to understand that the planned duration of its stay in Zaire — initially, 20 days or so — was too long and had to be shortened, and that its plan to stay in Gisenyi, in Rwanda, while carrying out its inquiries in Goma, on the other side of the border, would be rejected.

The Security Council can imagine what the state of mind of the Commission would be when it arrived in Zaire. It wished to be housed in Rwanda and to carry out its inquiries in Zaire. It indicates in its letter addressed to the Minister for Foreign Affairs of Zaire that

> "the Commission has no objection to permanently remaining in Zaire throughout its inquiries on the territory of Zaire, provided that the Zairian Government is prepared to provide the members of the Commission and its support personnel with suitable lodging and to ensure them an adequate level of safety, and provided that the steps taken by the Zairian authorities are acceptable to the Commission."

Just imagine that I have just given you the main factor that affected the working relations between Zaire and the Commission of Inquiry.

As my Government was unable to make available to the Commission suitable housing, pointing out that it had the resources to arrange for its own lodgings, this had the effect of subjecting Zaire to discriminatory treatment. This is the truth.

In paragraph 35, finally, the report says that the Zairian side seemed to wish to renegotiate the mandate of the Commission and insisted that it be present at its talks with potential witnesses — further untruths served up to the Council. So, where is the truth, one might ask. The truth is as follows.

In note verbale number 130 of 27 November 1995, which the Minister for Foreign Affairs of Zaire addressed to the Representative of the United Nations Assistance Mission for Rwanda (UNAMIR) Liaison Office in Zaire, the following was expressed:

> "To this effect and in accordance with the terms of the letter from the Prime Minister to the Secretary-General of the Organization of the United Nations, dated 23 June 1995, the Minister invites the Director of the Liaison Office to convey to him, at his earliest convenience, the terms of reference of the Commission's mission, so that the Government can make all the necessary arrangements for the proper functioning of the international inquiry and to establish the date of their arrival in Zaire as quickly as possible."

The note verbale goes on to say:

> "The Ministry would point out to the representative of UNAMIR that the Government attaches the highest importance to the calmness and the objectivity that should characterize the work of said Commission, and strongly suggests that it refrain from making any statement or holding any interview or press conference at the outset, during or at the end of its mission, and that it reserve its conclusions for the Secretary-General and the Security Council. Likewise, the Government earnestly hopes that throughout their work in the north and south of Kivu, the members of the Commission will reside on the territory of Zaire, where every arrangement will be made to welcome them and ensure their safety, as was the case in the other countries they visited".

In what I have just recalled on behalf of the delegation of Zaire, there was no intention whatever on the part of Zaire to renegotiate the terms of reference, but rather simply a concern to provide the Commission with the conditions that would make it possible for it to properly pursue its inquiries on the soil of Zaire.

Is there a single person who can tell us why the Commission demanded that press conferences be held immediately upon its arrival in Zaire, during its inquiries and after its inquiries? But what, in that case, can be the content of the report after all these productions, if in fact they took place? And why did it demand to stay in Gisenyi, in the territory of Rwanda, while carrying out inquiries in Zaire? Only the members of the Commission know the answer to that question.

Council members may undoubtedly wonder what point we want to make with all these quotations and tiresome recollections. Zaire desires to demonstrate to the Council through these quotes the unequal treatment given to Zaire by the Commission, as well as its discriminatory methods.

The Commission stayed in Rwanda for two days only, and it proposed to stay in Zaire for 20 days,

forgetting that the area in which they were to operate was a highly unsafe area and that Security Council resolution 1013 (1995), in paragraph 5 (a) and (b), imposes on the States visited by the Commission, within the context of its inquiry, the responsibility to ensure the safety of the members of this Commission.

Furthermore, during its inspection mission on Iwawa Island, in Rwanda, the Commission was assisted by officers of the Rwandan Patriotic Army, who even provided interpretation services, whereas the same favourable treatment was refused to Zaire. The Commission even gave a testimonial to its providential interpreter by saying in its report that there was no reason to doubt the accuracy of his interpretation, although none of the members of the Commission understood Kinyarawanda and therefore were unable to assess the accuracy of this fortunate interpretation.

These are the key facts that claim the attention of the Commission.

And what about the final report? The Commission, in its search for truth, was curiously content, after certain inquiries, with laconic replies and often with a simple letter from the party approached indicating simply that, in his case, there had been no violation of the embargo.

One must understand that most of the final report deals with a single case, which is pompously entitled "Case study: arms purchase in Seychelles", as if Seychelles had suddenly become an arms-producing country. But I would like to dwell on this transaction, in which my country's name is mentioned more than once.

Let us consider the period during which this transaction took place.

I should like to remind the Council of an observation made by my Minister for Foreign Affairs to the Commission of Inquiry. He pointed out that during the period when the so-called arms deliveries were supposed to have been made in violation of the embargo — in the middle of 1994 — the situation around Goma was marked by considerable upheaval and confusion. Some 2 million refugees had crossed the border and had completely flooded the relief organizations, which led the authorities to suspend the implementation of the immigration and customs regulations in order to speed up the delivery of assistance.

The Council should bear in mind that during that same period, the Government of the regime that had been expelled from Rwanda was still fighting on the soil of Rwanda, and that Rwanda was represented in the Security Council by an envoy from the regime that today is decried. It must be recalled that Kigali did not fall until 4 July 1994. Therefore, all the authorities in Kigali at that time still represented legality in Rwanda — a fact borne out by the adoption of resolution 918 (1994) at a meeting in which a Rwandan representative from the Hutu fringe participated unchallenged. I would invite the Council to reread the statement he made at that time.

In its report, the Commission does not indicate to the Council exactly when the Seychelles authorities decided to sell to Mr. Bagosora and Mr. Ehlers the cargo from the ship *Malo*, which had been seized. It tells the Council that the two individuals entered Seychelles on 4 June 1994. They even provide the immigration slip of Mr. Bagosora, but fail to provide that of Mr. Ehlers, even though he seems to have played a key part in the negotiations with the Seychelles authorities.

I should like to draw the attention of the members of the Council to a slew of questions which arise from this report and to which it does not provide the expected replies. These are detailed in the letter which we sent to the President of the Council.

Throughout its investigation, the Commission remained the prisoner of its own reference materials, which it had taken with it when it left New York. It never tried to seek the truth beyond the writings of certain non-governmental organizations that hoped for some international attention. Completely benighted by its desire to prove that the allegations that its mission was to investigate were well founded, the Commission forfeited its objectivity and was swayed by prejudices.

In paragraph 29 the Commission illustrates the extent of its prejudice when it says that:

> "The Government of Seychelles and Mr. Michel cooperated fully with the Commission and provided it with information that amply corroborated the statements made in the Human Rights Watch report." *(S/1996/195, para. 29)*

In other words, any reply that does not corroborate what is contained in the Commission's reference documents is regarded as a sign of lack of cooperation.

While reaffirming the content of our letter addressed to the President, contained in document S/1996/241, we would like to add the following.

In an attempt to explain the influx of arms into the region, the Commission states in paragraph 12 of its report that:

> "General Lafourcade" — the Commander of Operation Turquoise — "told the Commission that French forces had brought with them no arms except those they required for their own use. No weapons were left behind, and all had been fully accounted for on their departure. The General also informed the Commission that French forces had confiscated approximately a thousand weapons from the retreating Rwandan government forces ((RGF) — also known as Forces Armées Rwandaises (FAR))" — an acronym easily confused with that of my own country's army, FAZ. "At the conclusion of Operation Turquoise, they said they had inventoried those weapons and handed them over to the United Nations Assistance Mission for Rwanda (UNAMIR). The Commission had already heard of this matter and had written to UNAMIR asking about the disposition of the arms. No reply has been received." (*ibid., para. 12*)

I think the Council will agree that this is a strange example of the kind of cooperation that the Commission received and of which it boasts in paragraph 58 and appendix I of its report. It is a strange kind of cooperation, because these are two bodies created by the Security Council. And it is Zaire which is criticized for lack of cooperation.

Despite these accusations of lack of cooperation, Zaire delivered to the President of the Council a letter dated 23 February 1996 (S/1996/132) stating that:

> "I am also authorized to tell you that, since the International Commission of Inquiry left Zaire of its own accord, it is for it to decide, and to inform the Zairian authorities accordingly, what it considers to be an appropriate moment for it to return to Zaire to complete its work there. It will receive the same cooperation and the same facilities from the Government of Zaire as it did on its first visit to the country."

Imagine Zaire's astonishment that no reference is made to that letter in the report, whereas communications received at almost the same time, or even later, are inserted in the report. Paragraph 44, in fact refers to a letter dated 20 February, and paragraph 51 speaks of a note received on 8 March 1996.

With respect to the case mentioned in the report dealing with the purchase of arms in Seychelles, my delegation confirms for the Council its concerns, expressed in the letter dated 3 April 1996, issued as document S/1996/241.

The Government of the Republic of Zaire, on the basis of information, albeit incomplete, drawn from the two reports of the Commission, undertook to carry out its own inquiry on the transaction with Seychelles and will supply the Council with its conclusions.

Consequently, we would urge that all countries whose nationals, be they individuals or legal entities, that took any part in the Seychelles transaction should undertake to carry out their own inquiries and communicate the results of those inquiries to the Security Council.

The draft resolution before the Council calls for the following comments. In the third preambular paragraph, reference is made to the Tunis Declaration, and operative paragraph 6 also refers to that Declaration.

I should like to raise a prejudicial question. Is the Security Council entitled to take hold of any document that is produced in the world and involve it in its decisions? As far as I know, this Declaration has never been published as a document of the Security Council.

Zaire believes that a simple statement by the President of the Council would have been sufficient to take note of this report, which is extremely contradictory in many respects. No one acknowledges that it has any particular merit, not even the Council, as can be seen from preambular paragraph 11 of the draft resolution. But despite that, it describes the report as excellent.

Preambular paragraph 10 of the draft resolution refers to aircraft that are continuing to land at Goma and Bukavu with arms. This is simply an invention on the part of those who still wish to discredit Zaire despite the sacrifices it made in the Rwandan crisis.

Since, in the eyes of the Council, these planes are known and identified, perhaps we can be told where they came from, and also the origin of the arms they were carrying?

The airports of Goma and Bukavu are transportation routes from the east of Zaire. They are open and serve the purposes for which they were constructed.

It is high time for the Council to stop basing its decisions on indications or unproven allegations because there are many other allegations published by serious sources that have not received the same attention from the Council. Why do we have these double standards for some and no standards at all for others?

The twelfth preambular paragraph, which reflects a biased view of the central threat to security in the region, should have been firmer in its assessment of the danger represented by the refugee element in the region. Indeed, we offered a more realistic draft, which read:

> "Recognizing that the massive presence of refugees in the Great Lakes region is a major factor for destabilization in the region and an ongoing threat to international peace and security, and that every effort must be made to allow these refugees to return to their country of origin as soon as possible in order to make the region more secure".

Zaire firmly believes that, so long as the question of refugees has not been successfully resolved by their return to their respective countries, the region will long continue to be in a state of upheaval. Moreover, among its contradictory statements, the Commission recognizes this danger in paragraph 61 of its final report. The Council must take the refugee dimension into account in all its undertakings in the region and exert pressure on Kigali to bring its population home.

Here, I must digress, because I have heard it claimed that the Government of Kigali received 8,000 Zairian refugees. That is not so; here is the truth.

In 1927 and 1959, following famines, there were two mass migrations from Rwanda to the Masisi plains in Zaire. The transplanted population living on these plains consisted mainly of Tutsis, but it must be understood that the Great Lakes region has one feature specific to itself: the peasants who live there are greatly attached to their land. There is no free land in the Great Lakes region. The land belongs to the tribes.

Claims of ownership were made by this refugee population over the local inhabitants of the Masisi, and the situation was further aggravated because the transplanted population was not integrated into the local population. They even refused to marry the locals and married only among themselves. One result of this is the degeneracy visible among them.

The Youndé population in the Masisi continues to contest the presence of the transplanted population on its lands. When that population learned that their brothers had seized power in Kigali by military action, they joined the war in Rwanda, participating physically and providing material and financial contributions. They decided to return to Rwanda, their native land. But I have seen none of the Zairian refugees who are supposed to have returned to Rwanda.

Rwanda has simply to assume its responsibilities and welcome its returning people. It is as if one were to suggest that the young people on Iwawa Island were not entitled to be there. They are Rwandans trained in Rwanda. They came from a Zairian camp, but we cannot be responsible for actions committed in Rwanda by refugees who then return to Zaire.

I therefore wish to inform the Council, on behalf of the Government of Zaire, that there are no Zairian refugees in Rwanda. There is a movement of Rwandese located in Zaire. I might add that the Ambassador of Rwanda returned to his country and assumed his responsibilities, but he too was a refugee in my country. I wish to take this opportunity to ask the Secretary-General through you, Sir, to use his influence to persuade the Ambassador of Rwanda to the United Nations to return the Zairian passport he continues to hold. Who knows: He may make use of it, and I would find myself with another Bagasora on my hands.

In connection with the draft resolution, operative paragraph 7 singles my country out for attention. This paragraph reveals the Council's ignorance of the realities of the region.

The tragedy of Rwanda was predictable and the respective foreign offices of the members of the Council must have informed them correctly. But no one was willing to raise their voice, so let us shed no crocodile tears today.

The arms traffic in the region is being blown out of all proportion, while it has been forgotten that the weapons that killed hundreds of thousands of people in Rwanda were not cannons or mortars but mere machetes, weapons available to the simplest peasant. It was the machete that did the killing in Rwanda.

Lastly, on a more positive note, let me point to a provision that could be useful in moving the inquiry ahead. Paragraph 9 calls upon States, particularly those whose nationals — native or naturalized — have been implicated by the report, to carry out their own investigations, the results of which paragraph 10 calls upon them to make available. Indeed, the Council must require respect for paragraph 1 (c) of resolution 1013 (1995). The embargo having been decreed under Chapter VII, no banking institution can hide behind the screen of financial secrecy. All those who gave orders in the Seychelles operation must be clearly identified so as to allow all these international swindlers to be brought down.

Believing that the draft resolution that is about to be adopted authorizes the Commission to resume its work, as we had wished, Zaire asks the Commission to provide answers to the many questions it asked in its letter of 3 March 1996 (document S/1996/241). This will allow us to conclude fruitfully the investigation we are currently pursuing.

The Government of the Republic of Zaire eagerly awaits the return to the region of the Commission of Inquiry and hopes that it will leave its prejudices in the dustbin of history and get down to its investigation. It will enjoy the open cooperation of the Government of the Republic of Zaire, aimed at seeking out all evidence of the truth in the interests of the international community.

The President (*interpretation from Spanish*): It is my understanding that the Council is ready to proceed to the voting on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first call on those members of the Council who wish to make statements before the voting.

Mr. Wibisono (Indonesia): I should like to begin by expressing my delegation's appreciation to the Secretary-General for transmitting the report of the International Commission of Inquiry. We find the detailed information contained therein to be valuable as the Council considers whether in fact violations of Security Council resolutions, and particularly of the arms embargo on Rwanda, were indeed committed.

This is not the first time the Council has deliberated on the question of the flow of arms to former Rwandan government forces, in violation of resolutions 918 (1994), 997 (1995) and 1011 (1995). Such uncontrolled illegal flows of arms and related *matériel* does indeed pose a threat to peace and stability in the Great Lakes region. The Indonesian delegation therefore supported the establishment of the International Commission of Inquiry pursuant to resolution 1013 (1995), and today we have occasion to reaffirm this support. The Indonesian delegation remains convinced of the important role of the International Commission of Inquiry in stabilizing the situation in the Great Lakes Region.

The thoroughness with which the Commission discharged its task has enabled it to conclude that it is highly probable that violations of the arms embargo occurred, that two shipments of arms destined for former Rwandan government forces took place, and that flights from neighbouring countries continue. On the basis of these findings, the Commission subsequently put forward several recommendations for the Council's consideration and decision.

My delegation feels that the various measures proposed by the Commission would yield positive benefits. They would not only address the specific issues of illicit arms flows, but might well contribute to the broader considerations that underlie the peace process. In this respect, my delegation fully supports the objective of ensuring that the countries in the Great Lakes region are not used as bases for armed groups to launch incursions or attacks against any other State, and that of preventing military training and the sale or supply of weapons to militia groups or former Rwandan government forces, as reflected in operative paragraphs 4 and 5 of the draft resolution.

These proposals, in our view, constitute confidence-building measures which, if pursued faithfully by all concerned, would undoubtedly promote peace and stability in the area. They are consistent with Security Council resolutions and, indeed, with the general principles of international law and the Charter of the United Nations.

In our view, it would be difficult for the Security Council to assist in establishing peace and stability in the region without addressing the uncontrolled illegal flow of arms. In this respect, we are pleased that the Council has expressed its determination that the prohibition on the sale or supply of arms and related *matériel* be implemented fully in accordance with resolution 1011 (1995). However, this proposal will be to no avail

without the cooperation and support of the countries in the region.

My delegation has consistently taken the view that the cooperation and support of the Governments of interested countries in the region are essential if the Commission of Inquiry is to effectively discharge its responsibilities. Moreover, such cooperation is an important manifestation of the Commission's respect for the principles of sovereignty and territorial integrity. We therefore deem it essential that those States that have yet to extend their full cooperation to the Commission in its inquiries should do so without delay.

In order for the Commission to be able to discharge its mandate effectively, it is imperative that it receive the necessary funding. In this regard, Indonesia recognizes the importance of voluntary contributions by States to the Secretary-General's Trust Fund for Rwanda to support the work of the Commission of Inquiry, as well as their contributions of equipment and services. My delegation further looks forward to the outcome of the Secretary-General's consultations with States neighbouring Rwanda on measures to improve the implementation of the arms embargo and to deter the shipment of arms to former Rwandan government forces.

In the light of these observations, my delegation will vote in favour of the draft resolution, which we consider an appropriate response to the evidence presented by the Commission of Inquiry.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): The Russian Federation attaches great importance to the speedy normalization of the situation in the subregion of the Great Lakes in central Africa, a situation which is closely bound up with circumstances in Rwanda and the surrounding area. We believe that the tasks of restoring peace, security and stability to that country and to the region as a whole can be achieved only through a well-thought-out and comprehensive approach. An integral part of that approach must be the establishment of an impregnable barrier against the illegal dissemination of weapons, the continuing inflow of which is undermining mutual trust and preventing national reconciliation. It is also capable of provoking a new spiral of bloody violence with all its devastating implications for the peoples of the region.

On occasions in the past we have expressed our concern with regard to information reaching us about weapons shipments to the former Rwandan government forces in violation of the embargo imposed by Security Council resolutions 918 (1994) and 1011 (1995). In view of the seriousness of the problem, we support the work of the International Commission of Inquiry, which we believe provides a considerable deterrent against political and ethnic extremism in the region. The Russian delegation will vote in favour of the draft resolution, which contains a broad range of balanced steps aimed at stabilizing the situation not only around Rwanda but in the region as a whole. In this context it is particularly important to take specific steps to ensure the effective implementation of the embargo on arms supplies to illegal militia forces, as well as to appeal to all countries of the region not to allow their territories to be used as bases for launching attacks on any other State.

We believe that it is extremely important that the measures proposed should, as the draft resolution clearly states, be implemented in coordination with countries neighbouring Rwanda. We regard this as a means of guaranteeing the efforts of the international community to resolve this complicated problem, which could also become an important precondition for stabilizing the situation in the region, in particular by implementing the provisions of the Tunis Declaration of Heads of State of the Great Lakes Region of 18 March 1996.

Mr. Plumbly (United Kingdom): My delegation assisted in drafting this draft resolution, and we will vote in favour of it. We strongly support the efforts of the international community to counter the illicit arming and training of Rwandan elements dedicated to conducting armed attacks against Rwanda and to ensure that the arms embargo is effective.

The Commission of Inquiry has done a very professional job, but in some cases it has not met with the cooperation it needs. The Secretary-General's report makes it clear that its work is not yet complete. Some of its findings so far, in respect of one possible arms embargo violation in particular, are disturbing. The draft resolution before the Council will have the effect of ensuring that the Commission can remain in being, though in reduced strength and on a standby basis, to complete its earlier investigations and to pursue any further allegations of violations. My delegation believes that this should be possible within existing resources. The resolution also sends the signal that the Council expects fuller cooperation with the Commission, in particular from Zaire, and that it wishes to see other mechanisms put in place in the region to ensure that the arms embargo is fully effective. We believe the idea of a

United Nations monitoring presence on the ground worth pursuing.

As the representative of Rwanda reminded us, the continued instability of the Great Lakes region is a matter which must remain of great concern to this Council. We saw all too clearly two years ago where it can lead. Another of the messages sent by this draft resolution is that the Council and the international community remain committed to addressing the problems of the region. In that context, we attach great importance to the implementation of Security Council resolution 1050 (1996), the establishment of a United Nations political office in Rwanda and the retention of the United Nations radio station there now that the United Nations Assistance Mission for Rwanda has withdrawn; to the fullest support for former President Nyerere's efforts to further political dialogue in Burundi; and, in the longer term, to holding a regional conference, as encouraged repeatedly by this Council, to address the wider problems of the region.

Mr. Da Gama (Guinea-Bissau) (*interpretation from French*): When the Security Council, in resolutions 918 (1994), 997 (1995) and 1011 (1995), imposed an embargo on the sale or delivery of weapons and related *matèriel* to Rwanda, under Chapter VII of the Charter, it was for the purpose, *inter alia*, of putting an end to the conflict that had caused incalculable human suffering in that African country.

However, despite those important measures taken by the Council, Rwanda continues to provide fertile ground for armed incursions and war, which are the logical consequence of lack of respect for those measures and, in particular, lack of the will to cooperate on the part of certain parties concerned. Guinea-Bissau is therefore extremely concerned over the allegations of sales or supply of weapons and related *matèriel* to former Rwandan government forces, as indicated in the Secretary-General's letter dated 13 March 1996 addressed to the President of the Security Council, as well as in the report of the International Commission of Inquiry annexed to that letter and in the interim report of the Commission of Inquiry dated 17 January 1996.

Guinea-Bissau is also concerned over the statement by the Commission of Inquiry that certain Rwandan elements are receiving military training for the purpose of conducting destabilizing incursions into Rwanda.

Despite the fact that the Commission of Inquiry has not yet been able to investigate thoroughly those allegations of violations of the arms embargo, it continues to deserve our full confidence. We thank it, congratulate it on the good work done and encourage it to continue to work along the same lines.

The radio broadcasts that disseminate hatred and fear in the region are also a continuing cause of concern. We therefore appeal once again to all States to cooperate with the countries in the region in order to halt those broadcasts without delay, in keeping with the relevant resolutions of the Security Council and the Declaration of Heads of State of the Great Lakes region, adopted on 29 November 1995.

In this connection, it is our view that the States of the Great Lakes region have a very important role to play in the Rwandan conflict and in the region in general. We thus hope that the decisions they have taken at regional conferences, and in particular that taken in Tunis on 18 March 1996, will be implemented effectively and that each will ensure that its country is not used by militias or by former Rwandan government forces for military training or the sale or delivery of weapons.

Bearing these considerations in mind, we will vote in favour of the draft resolution before us.

Mr. Nkgowe (Botswana): The situation in the Great Lakes region is potentially explosive. It is a matter of paramount importance that the arms embargo imposed by the Security Council in resolutions 918 (1994), 997 (1995) and 1011 (1995) be effectively implemented.

We value the contribution of the International Commission of Inquiry in the enforcement of these resolutions. The findings and conclusions of the Commission have had a profound impact in generating international awareness about the obligation to comply with the Security Council resolutions. It is significant that the work of the International Commission has shown that it is not only States or Governments that are concerned about matters of peace and security. Individual citizens and organizations also have a role to play and can contribute meaningfully and effectively towards this goal. In this respect we recognize the valiant efforts of non-governmental organizations such as Human Rights Watch and Amnesty International and the personnel of the world news media for the work they have done in documenting evidence on the sale and supply of arms to former Rwandese government forces. There can be no doubt that the lives of the personnel of these organizations were in great danger as they went about

their work, which turned out to be of great benefit to the investigations of the International Commission. They demonstrated in concrete terms their solidarity with a country whose people are still struggling to recover from the devastating consequences of genocide, the perpetrators of which are not remorseful — they are at present rearming and retraining with a view to returning to the country by force.

While the International Commission of Inquiry has made tremendous progress in its investigations, it is clear from paragraphs 19 and 20 of the report that some work still remains to be done. We are gravely concerned about reports that aircraft were continuing to land at Goma and Bukavu and that some former Rwandese government forces were engaging in fund-raising activities with the aim of financing an armed return to Rwanda. The continued investigations of the Commission are very important in that they serve as a powerful deterrent to those who still harbour the idea of armed incursions into Rwanda for the purpose of changing the present order by force.

The Commission of Inquiry can succeed in its noble but arduous task only if it enjoys the support and cooperation of Member States, in particular, those of the Great Lakes region of central Africa. The Government of Seychelles has already contributed meaningfully to the work of the Commission, and we call upon other States, in accordance with operative paragraphs 8, 9, and 10 of the draft resolution before us, to do likewise. The sale and flow of arms demands a multifaceted approach. It is not enough to carry out investigations after arms and related *matèriel* have been delivered. Priority should be given to stemming the flow of such weapons. It would therefore be an important step forward if the States neighbouring Rwanda were to agree to the deployment of United Nations observers, in line with operative paragraph 7 of the draft resolution in front of us. In this connection, we look forward to the outcome of the Secretary-General's consultations and express the hope that they will be crowned with success.

Mr. Cardi (Italy): Italy believes that the work of the International Commission of Inquiry established pursuant to Security Council resolution 1013 (1995) has helped shed light on a disturbing and threatening phenomenon: the flow of arms in the Great Lakes region in violation of the arms embargo imposed by the Security Council.

In this respect, the International Commission has been instrumental in giving the Security Council a clearer and more accurate picture of the actual flow of arms in the region. In our view, this phenomenon represents one of the most dangerous aspects of the overall instability in the area.

Italy is in favour of the Commission's continuing its activities, on the basis set out in paragraph 91 (c) of the report of the Secretary-General. In our opinion, it is clear that the very existence of the Commission and its presence in the region are a dissuasive factor in relation to the arms flow.

The more visible the Commission's presence and the more effective its investigations, the harder it will be to disregard or violate the Security Council's resolutions.

In line with the European Union position, Italy continues to believe that a comprehensive regional conference on peace, security and development would allow the international community and the countries of the region to address the main causes of instability in the Great Lakes area.

Italy feels that the draft resolution that the Council is about to vote on addresses our concerns over the need to adopt effective measures to prevent destabilizing activities in the Great Lakes region, and will therefore vote in favour of its adoption.

Mr. Sung Joo Lee (Republic of Korea): First of all, my delegation wishes to commend the members of the International Commission of Inquiry for the tireless efforts they have made in fulfilling the Commission's mandate under difficult conditions. We are also grateful for the two reports that the Commission has submitted, following its comprehensive and in-depth investigation of the allegations of the illegal sales and supply of arms in the Great Lakes region.

In reference to the Commission's reports, my delegation expresses its grave concern about the Commission's conclusion that it is highly probable that a violation of the arms embargo occurred involving two shipments of arms to Goma, Zaire, from Seychelles in June 1994, destined for former Rwandan government forces. We are further disturbed by the finding of the Commission that certain Rwandan elements are receiving military training to conduct destabilizing raids into Rwanda.

In view of the fact that illegal flows of arms and related *matériel* in the Great Lakes region would seriously threaten the peace and stability of the area, my

delegation stresses the importance it attaches to the continued, full and effective implementation of the arms embargo under the relevant Council resolutions. This is all the more so in the post-United Nations Assistance Mission for Rwanda (UNAMIR) period, in which the presence of the United Nations is considerably reduced. Against this backdrop, we welcome and support the retention of the Commission of Inquiry with a view to following up its earlier investigations and to ensuring the full implementation of the arms embargo, as reflected in operative paragraph 2 of the draft resolution.

In order to ensure the full and effective implementation of the arms embargo, my delegation believes that all States, particularly those in the region, should intensify their efforts to prevent illegal flows of weapons and military equipment to militia groups or former Rwandan government forces and create such national mechanisms as deemed necessary in this regard. My delegation urges all States, in particular those whose nationals have been implicated in the report of the Commission, to render every possible assistance to the Commission. In this regard, the Commission should be given, among other things, full access to all relevant locations and witnesses requested by it, in private and without the presence of officials or representatives of any Government. It is also important to note that States in the Great Lakes region should not allow their territory to be used as a base for armed groups to launch incursions or raids against any other State, in violation of the principles of international law and the Charter of the United Nations.

Lastly, my delegation would like to stress that there is an urgent need to find a long-term solution to the plight of the millions of refugees and displaced persons in Rwanda and neighbouring States. The return of these people to their homes is essential, not only for the normalization of the situation in Rwanda but also for the stabilization of the region. In this regard, my delegation commends all States, United Nations agencies, international organizations and non-governmental organizations that have provided humanitarian assistance and encourages them to continue their much-appreciated work. To this end, we attach special importance to the effective implementation of the Cairo Declaration of Heads of States of the Great Lakes Region of 29 November 1995, which reaffirms the need to terminate radio broadcasts that spread hate and fear among the people, especially among the refugees in the region.

On the basis of these views of my Government, my delegation will vote in favour of the draft resolution before us.

Mr. Awaad (Egypt) (*interpretation from Arabic*): At the outset, the delegation of Egypt wishes to pay tribute to the International Commission of Inquiry for its efforts to investigate violations regarding the infiltration of weapons across the Great Lakes region, in the centre of Africa. We welcome the findings reached by the Commission, which has had to operate under extremely difficult conditions.

Similarly, we commend those Governments that cooperated in a positive fashion with the International Commission of Inquiry. In the meantime, we wish to appeal to all other parties to lend even greater support and cooperation to the Commission in the coming period so that the Commission can expeditiously fulfil its mandate.

The delegation of Egypt also appeals to all States to ensure the effective implementation of the arms embargo against the shipment of arms to non-Government forces in Rwanda, as provided for in Security Council resolution 1011 (1995). My Government hopes that no State in the Great Lakes region will allow any armed group to use its territory as a staging ground for attacks against any neighbouring State, in flagrant violation of international treaties and the Charter of the United Nations.

The Security Council requests the Secretary-General of the United Nations, in operative paragraph 7 of the draft resolution before the Council, to consult with States neighbouring Rwanda on appropriate measures for the purpose of better implementation of the arms embargo and deterrence of the shipment of arms to Rwandan government forces. We fully support that request and look forward to knowing the outcome of such consultations. We are confident that in these consultations, and in the context of any accord to be discussed to deploy United Nations observers at airports and border checkpoints, there will be full compliance with the principle of the national sovereignty of all States in which such observers are to be deployed. Therefore, securing the consent of the Government concerned should be a *sine qua non* condition for dispatching United Nations observers to the State in question.

We are gravely concerned by the news that some Rwandan army elements received training in order to launch raids inside Rwanda to destabilize that country.

We are also concerned that the areas hosting Rwandan refugees could be used as smokescreens for those military training activities.

The delegation of Egypt once again maintains that there will be no real stability unless the question of refugees in the Great Lakes region is addressed comprehensively and their return to their countries is facilitated as early as possible.

My Government supports the Tunis Declaration of Heads of States of the Great Lakes Region of 18 March 1996. We consider it a continuation of efforts made in Cairo in November 1995. We hope that all its provisions will be implemented in an effort to restore stability to this vitally important area in the heart of Africa.

The delegation of Egypt will vote in favour of the draft resolution before the Council, which, from our point of view, represents an appropriate and balanced reaction by the Council to the report of the International Commission of Inquiry.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The Chinese Government has all along shown great interest in developments in the Great Lakes region. We feel a deep sense of relief that after conflict and war Rwanda is moving gradually towards peace and stability.

Peace in Rwanda has been difficult to attain and is the result of both the active promotion of the international community, including the United Nations and, even more so, of the aspirations and efforts of the people of Rwanda in their search for peaceful lives. It is sincerely hoped that Rwanda will smoothly embark on the path of reconstruction and development in an environment of peace and stability.

We have also taken note of the fact that Rwanda is still confronted with some difficulties in achieving stability for the State and peace for its people. In our view, the core issue facing Rwanda remains a genuine realization of national reconciliation. We therefore hope for and support the efforts of the international community to help the Rwandan people and Government to achieve these objectives.

It is precisely out of our sincere interest in peace and tranquillity for the Rwandan people that we express our deep concern over some of the problems reflected in the final report of the International Commission of Inquiry. We believe that the illegal flow of arms to the Great Lakes region constitutes a potential threat to peace and stability in the region and that it will impede the cause of reconstruction and development in the countries concerned, particularly Rwanda.

We therefore favour the adoption by the Council of appropriate measures to reduce or even stem the illegal flow of arms into the region and to work to increase mutual confidence between the countries of the Great Lakes region. We believe that in adopting actions in this area the Council should heed and respect the views of the country concerned and of the other countries concerned in the region. We have also noted that those measures have already received wide support among African countries, including Rwanda.

On the basis of these considerations, the Chinese delegation will vote in favour of the draft resolution before the Council.

The President (*interpretation from Spanish*): I shall now put to the vote the draft resolution contained in document S/1996/298.

A vote was taken by a show of hands.

In favour:

Botswana, Chile, China, Egypt, France, Germany, Guinea-Bissau, Honduras, Indonesia, Italy, Poland, Republic of Korea, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*interpretation from Spanish*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1053 (1996).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Thiebaud (France) (*interpretation from French*): The French delegation voted in favour of the resolution just adopted. This resolution will make it possible for the International Commission of Inquiry to continue its investigations and to shed light on the rumoured arms traffic that is poisoning the political climate in the Great Lakes region.

The report of the Commission emphasizes the existence of recent arms trafficking in violation of resolutions 918 (1994) and 1011 (1995) of the Security Council, which established an embargo against the former Rwandan forces. There is every reason to be worried at

these revelations of events that are happening in a region where the tensions are still running high. For that reason it is necessary to enable the Commission to inquire into these facts. We are aware that the very existence of this body has had a deterrent effect on illicit trafficking in central Africa. We hope that this resolution will prolong this effect.

The French delegation would like to recall that from the beginning France has done everything in its power to provide assistance to the Commission, headed by Ambassador Kassem, whose work and tenacity deserve our praise. The idea of creating an International Commission of Inquiry was introduced in resolution 1011 (1995) of the Security Council on 16 August 1995, as the result of an amendment submitted by France. We gave our full support to resolution 1013 (1995) of 7 September 1995, which established the Commission.

The Commission was invited by the French Government to Paris. The results of that visit are covered at length in the report of the Commission of 14 March 1996, and I shall not go into them now. The report establishes the total absence of substance in the allegations advanced by those who have not been able to provide the slightest evidence to back up what they say.

We consider also that the Commission, if it is to succeed, should enjoy the full cooperation of the countries of the region. We therefore call upon those countries to act responsibly, as requested by the resolution.

The French delegation has also heard the information provided by the Secretariat on the funding of the Commission. It is our understanding that it will be unable to function unless provision is made for additional resources. We hope that if voluntary contributions prove to be insufficient to cover the functioning expenses of the Commission, appropriate decisions will be taken on the recommendation of the Fifth Committee so that the International Commission of Inquiry can successfully conclude the mission which has been unanimously entrusted to it today by the Security Council.

Many serious issues remain unresolved in central Africa. First and foremost is the question of refugees. There is also the problem of national reconciliation, which in several countries has not been proceeding as we had hoped it would. These two matters are related to a lack of confidence in the entire subregion, which has given rise to a disturbing re-emergence of violence.

Renewing the mandate of the Commission is likely to reduce these tensions and to encourage the main actors in the Great Lakes region to resume their dialogue to ensure the people of central Africa the peace, security and development that are so sorely lacking in that region.

Mr. Kaul (Germany): We are very grateful to the International Commission of Inquiry for the intensive and thorough work it has carried out and for the report delivered to the Council.

In view of the priority aim of achieving peace and stability in the Great Lakes region, it is of major importance for the whole international community to stop the uncontrolled flow of arms to the area. Therefore, we have a common interest in enabling the Commission of Inquiry to fulfil its obligations. For this reason, we strongly support the suggestion that the countries mentioned in the report should do their utmost to contribute to investigating the sources of their nationals who may be involved in purchasing and supplying arms to the region. It is in the interest of the countries of the Great Lakes region themselves to ensure that the Commission is able to complete its task, and thus, to make sure that in the future there will not be a new flow of arms.

This is the reason why we have voted for the resolution adopted today. Germany sees the work of the Commission as part of the endeavours of the international community to contribute to the stability of the region and therefore has supported its operations. Let me once again underline the importance we attach to the neighbouring countries intensification of their efforts to prevent any military activities by members of the former Rwandan regime. We call upon the States neighbouring Rwanda to fully cooperate with the Commission in its effort to contribute to a better implementation of the arms embargo. Zaire, especially, is requested to enter into talks with the Commission about the possible deployment of United Nations officials monitoring the observation of the arms embargo.

In his letter of 14 March 1996, the Secretary-General points out the need for appropriate resources for a continuation of the work of the Commission. We share his view. It would be short-sighted not to provide the necessary means for a task of this importance.

Finally, let me express our hope that the Tunis Declaration of Heads of State of the Great Lakes region of 18 March 1996 will be implemented soon. A stable

peace will be achieved only if the refugees can safely return to their home countries.

Mr. Rendón Barnica (Honduras)(*interpretation from Spanish*): The last report of the International Commission of Inquiry, established by Security Council resolution 1013 (1995), contributes to clarifying the reports that have been repeatedly advanced by the Government of Rwanda and various human rights protection organizations on the existence of operations related to the sale or provision of arms and related *matériel* to former Rwandan government forces, in violation of the embargo imposed by the relevant resolutions of this Council.

It is clear that the illegal flow of arms and the military training of those Rwandan elements represent not only a danger to the peace and internal stability of Rwanda, but also to the peace, security and stability of the entire Great Lakes region. For this reason, my delegation considers that the establishment of the International Commission of Inquiry has been a very important step towards the containment of those operations and a measure to prevent the possibility in Rwanda of a new genocide occurring, along with a humanitarian disaster, such as it experienced in the recent past.

We also consider that, given the invaluable work of the Commission, the Council should strengthen its mandate so that it can carry out a thorough investigation of all reports, past and present, on the sale and provision of arms to elements of the former Rwandan government forces. To this end, the Commission must continue to have the effective cooperation of the entire international community. Those Governments that are found to be implicated in the alleged violations of the arms embargo must lend their full cooperation to the Commission's investigations. It is also necessary that the Governments of the Great Lakes region observe the commitments undertaken in the Tunis Declaration of 18 March of this year. In this regard, we wish to emphasize the full cooperation offered to the Commission by such countries as Seychelles in the investigation of arms sales.

Given the important role played by the Commission of Inquiry for the achievement of peace, security and stability in the Great Lakes region, and bearing in mind the imperative need for all States, especially those of that region, to effectively implement the embargo on arms and military supplies imposed by this Council and to observe the principles of international law and of the United Nations Charter, while avoiding at all times the use of their territories by armed groups to launch attacks against another State, my delegation voted in favour of the resolution just adopted by this Council.

Mr. Wood (United States of America): Today we reaffirm the mandate of the United Nations Commission of Inquiry, established to investigate arms sales in violation of Security Council resolutions 918 (1994), 997 (1995), and 1011 (1995).

The Commission of Inquiry has done an excellent job, in spite of inadequate cooperation from several key Governments. The evidence of violations of the embargo on arms sales to members of the former Rwandan forces in June 1994, when those forces were committing genocide, is shocking. The allegation in the Commission's report of continuing violations of the embargo, including shipments to Goma and Bukavu for the former Rwandan armed forces, must be thoroughly investigated. That is why the Security Council reaffirms the Commission's mandate.

We call upon all Governments to cooperate fully with the Commission's investigations. The terms of the mandate are clear and robust. The Commission has the authority to interview witnesses in private, without representatives of any Government present to listen to the testimony. The Commission is free to choose its own interpreters, without the approval of any Government. All United Nations members are obligated to assist the Commission, to provide such security for its members as the Commission requests and to provide access to witnesses and places as the Commission requires.

The embargo on sales and transfers of arms to former Rwandan armed forces and militias was imposed under Chapter VII of the Charter of the United Nations. Such arms sales are threats to international peace and security. As the United Nations commission of experts and the Security Council have determined, the ex-Rwandan armed forces have already used their weapons to commit genocide against Rwandan people, and now they are using their arms to spread terror and insecurity inside Rwanda. Their armed insurgency must be stopped. Those leaders of the ex-Rwandan armed forces who committed genocide should be prosecuted by the International Tribunal for Rwanda.

We are determined that the embargo on arms sales to ex-Rwandan armed forces will be enforced. This Commission of Inquiry is part of that enforcement effort. The evidence the Commission uncovers should be used by Member States to investigate, arrest and prosecute the

arms traffickers, who have violated domestic and international law by violating this arms embargo. We call upon all United Nations members to enforce this arms embargo and to cooperate fully with the Commission of Inquiry.

The President: (*interpretation from Spanish*): There are no further speakers. The Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 2.50. p.m.